		Application Number	10/612,325	
TRANSMIT	TAL	Filing Date	July 1, 2003	
FORM (topb) used for all correspondence after initial filing)		First Named Inventor	DEEM, MARK E.	
		Art Unit	3739	
		Examiner Name	Unassigned	
otal Number of Pages in This Submission		Attorney Docket Number	020979-001610US	
<u> </u>	ENC	LOSURES (Check all that app	oly)	
Fee Transmittal Form Fee Attached	☐ Drawin	ng(s)	After Allowance Communication to Group Appeal Communication to Board of Appeal and Interferences	
Amendment/Reply	Petition	-	and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
After Final	Provisi	n to Convert to a ional Application	Proprietary Information	
Affidavits/declaration(s		of Attorney, Revocation e of Correspondence Address	Status Letter	
Extension of Time Request	quest Terminal Disclaimer		Other Enclosure(s) (please identify below):	
Express Abandonment Request		st for Refund umber of CD(s)	Return Postcard 4 Reference Copies, PCT Search Report	
	ement		PTO/SB/08A and /08B Form	
Certified Copy of Priority Document(s) Remar		The Commissioner is authorized to charge any additional fees to Depos		
Response to Missing Parts/ Incomplete Application				
Response to Missing Parts under 37 CFR 1.52 or 1.53				
		F APPLICANT, ATTORNE	Y, OR AGENT	
Firm Townser or Individual James M	nd and Townsend a 1. Heslin		No. 29,541	
Signature	4			
Date	4 20/04			
	CERTIFIC	ATE OF TRANSMISSION/	MAILING	
I hereby certify that this correspondence as first class mail in an envelope addre	e is being facsimile trans	smitted to the USPTO or deposited v for Patents, P.O. Box 1450, Alexand	with the United States Postal Service with sufficient postagria, VA 22313-1450 on the date shown below.	
Typed or printed name Edw	ard Masinas			
Signature	91,01	/4 -	Date 4.22.04	

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

PATENT Attorney Docket No.: 020979-001610US

Commissioner for Patents

O. Box 1450

de andria, VA 22313-1450

APR 2 6 20040105

4-22-04

WNSEND and TOWNSEND and CREW LLP

BEST AVAILABLE COPY

Edward Masinas

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

MARK DEEM et al.

Application No.: 10/612,325

Filed: July 1, 2003

For: METHODS AND DEVICES FOR

LUMINAL AND SPHINCTER

AUGMENTATION

Examiner: Unassigned

Art Unit: 3739

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Also enclosed is a copy of the International Search Report corresponding to PCT/US03/21167.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no

MARK DEEM et al. Application No.: 10/612,325

Page 2

BEST AVAILABLE COPY

representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

James M. Heslin Reg./No. 29,541

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 650-326-2400 Fax: 650-326-2422

JMH:bjl 60198119 v1

BEST AVAILABLE COPY

PTO/SB/08B (08-03)

APR 2 6 200 Sheet

Substitute for form 1449B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known				
Application Number	10/612,325			
Filing Date	July 1, 2003			
First Named Inventor	DEEM, MARK E.			
Art Unit	3739			
Examiner Name	Unassigned			
Attorney Docket Number	020979-001610US			

	U.S. PATENT DOCUMENTS+					
Document Number		Document Number	-			
Examiner Initials*	Cite No.1	Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	ĀA	US-2002/0091295 A1	07-11-2002	Wilk		
	AB	US-2003/0153806 A1	08-14-2003	Miller		
	AC	US-4,978,323	12-18-1990	Freedman		
	AD	US-6,604,529 B2	08-12-2003	Kim		

		_		FOREIGN PA	TENT DOCUME	NTS	_	
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or	Pages, Columns, L Where Relevan		
		Country Code ³	Number ⁴	Kind Code ⁶ (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Rele Figures Appea	elevant6
					·			
								- .
			NO	N PATENT I IT	ERATURE DOC	UMENTS		<u>-</u> -
Examiner Initials *	Cite No.1	Include nan (book, m	ne of the autho	r (in CAPITAL LET al, serial, symposi	TERS), title of the	article (when appropriate) ate, page(s), volume-issu	, title of the item e number(s),	T²
			•					
	+							

60198119 vl

Examiner	Date	
Signature	 Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached.